

Dep't of Health & Hum. Servs., No. 2:24-cv-00372-JAW, 2025 WL 953711, at *1 (D. Me. Mar. 31, 2025) (noting that the Maine DHHS “is immune from suit in this Court under the doctrine of sovereign immunity”). Even with a liberal reading of their complaint, the Torres have not alleged sufficient facts to state a claim against the individual DHHS caseworkers. *See Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007). Finally, this Court must abstain from interfering with ongoing child protection proceedings and, in any event, lacks the authority to return the Torres’ children to their custody. *See Malachowski v. City of Keene*, 787 F.2d 704, 708-09 (1st Cir. 1986) (affirming a federal district court’s “decision to abstain on the injunctive aspects” of a complaint seeking return of a child from state custody “to avoid federal court interference in an area of predominant state concern”); *Ankenbrandt v. Richards*, 504 U.S. 689, 703 (1992) (holding that the “domestic relations exception . . . divests the federal courts of power to issue divorce, alimony, and child custody decrees”).

NOTICE

A party may file objections to those specified portions of a Magistrate Judge’s report or proposed findings or recommended decisions entered pursuant to 28 U.S.C. § 636(b)(1)(B) for which de novo review by the District Court is sought, together with a supporting memorandum, within fourteen (14) days after being served with a copy thereof. A responsive memorandum shall be filed within fourteen (14) days after the filing of the objection.

Failure to file a timely objection shall constitute a waiver of the right to de novo review by the District Court and to appeal the District Court’s order.

Dated: April 7, 2025

/s/ Karen Frink Wolf
United States Magistrate Judge